

### REMARKS/ARGUMENTS

With this amendment, claims 1, 3 – 9, 11 – 24, 26 – 31, 38, 44 – 49 are in the application. Reconsideration is respectfully requested.

#### Patentability of the Claims

All of the claims have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 – 45 of (purportedly) copending US Patent Application No. 09/877,929, bearing Publication No. 20030026348. (The “‘929 Application”)

In reply, applicant notes that the ‘929 Application is not pending. That application (the parent of the present application) was abandoned as indicated in a paper mailed July 11, 2005. Consequently, the ‘929 Application does not support a nonstatutory obviousness-type double patenting rejection, and that rejection should be withdrawn.

#### Conclusion

In view of the foregoing, applicant believes that all of the currently pending claims are in condition for allowance, and an early notification to that effect is respectfully requested. If the Examiner has any questions, she is invited to contact applicant’s attorney at the below-listed telephone number.

Respectfully submitted,  
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